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October 2, 2017

Hon. Gabriel W. Gorenstein  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**Re: United States v. Hector Cruz, 17 Cr. 300**

Dear Magistrate Judge Gorenstein:

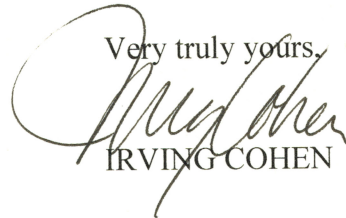
I am the attorney for the defendant, Hector Cruz, having been duly appointed pursuant to the Criminal Justice Act. The case is presently scheduled for a conference on Wednesday, October 11, 2017 at 11:30 AM.

As a result of the situation in Puerto Rico, I am constrained, at the request of my client, to ask for another adjournment of the conference. While we have made progress toward a decision on whether to move to withdraw Mr. Cruz's guilty plea, it has not yet been resolved. Significant legal research has been done – but is not concluded – and I have met with Mr. Cruz on several occasions. Because of the devastation in Puerto Rico requiring Mr. Cruz to travel there, he has asked me to request another postponement of the conference. After many days with a lack of any communication, Mr. Cruz finally heard at the end of last week – through others that were able to get a message out – that his immediate family members, including his 91 year-old father, are in dire straits.

Specifically, the family home in the countryside has been significantly damaged requiring Mr. Cruz's family to live in makeshift surroundings. Besides his father, this includes his widowed sister as well as his other sister whose husband is sick. The family is without water. There is no communication. The family lives in the countryside where help is virtually non-existent. Mr. Cruz is beside himself with worry and is unable to focus on anything else at this time. He is the first person in the family to obtain a college degree. His family needs him to assist in getting them the support – both emotional and material – to get them through this crisis. As a result, he has asked me to ask Your Honor to postpone the conference for at least one month and extend his bail limits so he can travel to Puerto Rico. Neither the Government nor the Pre-trial Services Office has an objection to this request.

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Thank you for your kind and courteous attention.

Very truly yours,  
  
IRVING COHEN